

REMARKS

Applicants thank the Examiner for allowing claims 14 to 25.

This is to traverse the requirement for a new Declaration.

On January 22, 2008, Jon Dudas of the U.S.P.T.O. (**Under Secretary** of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office) issued a directive titled "**Duty of Disclosure Language Set Forth in Oaths or Declarations Filed in Nonprovisional Patent Applications**", which provided that compliance will be waived for applications filed before June 1, 2008.

In particular, the directive provides, in part, that the Revised Procedure is as follows

Revised Procedure:

....

For pending applications, the Office is hereby ***sua sponte*** waiving the express language requirement of 37 CFR 1.63(a)(3), where the oath or declaration was filed prior to June 1, 2008. The express language of 37 CFR 1.63(a)(3) is waived only to the extent necessary such that an oath or declaration containing the "material to examination" or "in accordance with . . . 1.56(a)" language, or both, will be accepted as acknowledging the applicant's duty to disclose information "material to patentability" as defined in 37 CFR 1.56.

Accordingly, it is respectfully submitted that since the present declaration was filed on May 4, 2006, a new declaration need not be provided.

Conclusion

It is therefore respectfully submitted that claims 14 to 25 are allowed. It is therefore respectfully requested that the objections be withdrawn, since all issues raised have been addressed and obviated. An early and favorable action on the merits is therefore respectfully requested, so that the case may proceed to issue as indicated by the Examiner.

Respectfully submitted,

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